

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DALE HELMIG,

Plaintiff,

v.

MIKE KEMNA,

Defendant.

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No. 4:02 CV 574 DDN

WRIT OF HABEAS CORPUS

In accordance with the Memorandum of the court issued herewith,

IT IS HEREBY ORDERED AND ADJUDGED that the petition of Dale Helmig for a writ of habeas corpus under 28 U.S.C. § 2254 is sustained. The conviction of Dale Helmig in the Circuit Court of Gasconade County, Missouri, for the first degree murder of Norma Helmig is vacated and petitioner shall be discharged from imprisonment for said conviction, unless he is retried in Missouri circuit court for the said offense within 90 days of this date.


DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE

Signed on September 26, 2005.